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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Applicant : Dang *et al.*  
Serial No. : 09/935,322  
Filed : August 22, 2001  
Title : ANTITUSSIVE / EXPECTORANT  
COMPOSITIONS  
Examiner : Sharmila S. Gollamudi  
Art Unit : 1616  
Attorney Docket No. : 452005-13

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 20, 2003

**FURTHER AMENDMENT IN REPONSE**  
**TO BOTH FINAL REJECTION AND ADVISORY ACTION**

Dear Sir:

In *further* response to the Final Rejection of the claims as manifested by Office Action mailed February 20, 2003, and as maintained by Advisory Action mailed May 19, 2003, Applicants submit the following Amendment and Remarks in support of their herewith-included Request for Continued Examination, (RCE).

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Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/935,322
	Filing Date	AUGUST 22, 2001
	First Named Inventor	DANG
	Art Unit	1616
	Examiner Name	GOLLAMUDI
	Attorney Docket Number	452005-13

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☐ Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 750 + 930 enclosed
- c. ☐ Payment by credit card (Form PTO-2036 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

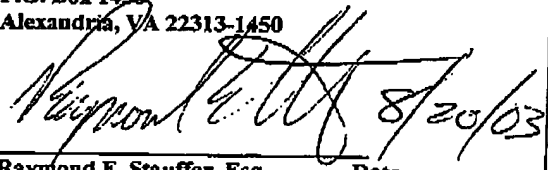
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	RAYMOND E. STAUFFER	Registration No. (Attorney/Agent)	77,109
Signature	<i>Raymond E. Stauffer</i>	Date	8/20/03
CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Name (Print/Type)	RAYMOND E. STAUFFER		
Signature	<i>Raymond E. Stauffer</i>	Date	8/20/03

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Serial No: 09/935,322  
Filed: August 22, 2001

Any additional fees or credit for overpayment should be charged to Deposit Account No.  
03-0678.

<u>CERTIFICATE OF MAILING</u>	
Deposit Date: <u>August 20, 2003</u>	
I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service with sufficient postage as First Class Mail to Addressee, under 37 CFR 1.8, on the date indicated above addressed to:	
Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450	
 Raymond E. Stauffer, Esq.	<u>8/20/03</u> Date

Respectfully submitted,

  
Raymond E. Stauffer, Esq.

Reg. No. 47,109

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#191860 v1 - petition for three month extension